

**CONFIDENTIAL**

Executive Registry

75-12329

10 November 1975

Director:

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Concerning your interest, in light of the decision in the [redacted] case, for either a guarantee from our Committees that they can protect our sensitive material, or the return of this material, Nedzi/Slatinshek/Preston reacted with understanding and counselled against precipitous action. [redacted] case was decided on narrow procedural grounds which neither vitiates the Committee's ability to protect our information nor forecloses the possibility of pursuing the [redacted] case on other grounds.)

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Therefore, it is recommended that we do nothing further with this until the air clears. Later in the month, when you appear before the House Select Committee on the oversight question, you will have the opportunity to point out that the corollary of receiving the most sensitive foreign intelligence information is the responsibility of Congress to assure its protection (face up to Rule XI in the House and the absence of effective procedures in both Houses pertaining to the handling, protection, and disclosure of sensitive information.)

If Congress is unable to set their own house in order, the Executive may be forced to propose that sensitive information only be conditionally provided, with disputes thereover, settled by recall, executive privilege and resolution in the courts, if necessary.



George L. Cary  
Legislative Counsel

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